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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : **Confirmation No. 9408**
Hiroki SATO et al. : Docket No. 2002-0348A
Serial No. 10/089,448 : Group Art Unit 1645
Filed July 19, 2002 : Examiner Vanessa L. Ford

INOCULATING AGENT, SPAWNED
INSECT AND METHOD OF
PRODUCING FRUIT BODIES
OF ENTOMOPATHOGENIC FUNGI

: **Mail Stop Amendment**

RESPONSE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
FEE FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0975.

Sir:

Responsive to the Office Action of April 21, 2005, Applicants submit the following remarks in support of the patentability of the presently claimed invention (as set forth in claim 4, the only claim under consideration) over the disclosure of the reference relied upon by the Examiner in rejecting the claim. Further and favorable reconsideration is respectfully requested in view of these remarks.

Thus, the rejection of claim 4 under 35 U.S.C. §102(b) as being anticipated by Yang et al. is respectfully traversed.

A characteristic feature of the instant invention of claim 4 resides in that insects are inoculated with hyphal bodies by injection. According to the part of the Yang et al. article referring to inoculation procedures on insects, the authors use conidia, rather than hyphal bodies, to inoculate the insects. In addition, their inoculation procedure relies on sprinkling or coating, rather than injection.